

94. The method of Claim 93, in which:

the creation of the first secure container includes placing the owner or creator information, the copyright ownership information, and the advertisement in locations specified at least in part by the descriptive data structure.

95. The method of Claim 82, in which:

the descriptive data structure includes information specifying fields relating to at least one atomic transaction.

96. The method of Claim 95, in which:

the atomic transaction information fields include fields for offer and acceptance information.

REMARKS

The present application is a continuation of application Ser. No. 09/300,778, filed April 27, 1999, which is a continuation of Ser. No. 08/805,804, filed February 27, 1997, which has since issued as U.S. Patent No. 5,920,861.

The Examiner will see that new Claim 36 is similar to original Claim 28 from the '804 application, but rewritten in independent form. During prosecution of the '804 application, the Examiner rejected original Claim 28 under 35 U.S.C. § 103(a) as unpatentable over Anderson et al (U.S. Patent No. 5,537,528). See Office Action dated June 25, 1998 ("OA"), ¶ 4. The Examiner acknowledges that Anderson et al. does not

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Concl.

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explicitly address a "secure container" but nonetheless rejected Claim 28 because it would have been obvious in light of Anderson "to provide security at the container level." OA at ¶ 4. In fact, neither original Claim 28 nor the rewritten Claim 36 specifies a secure container. For at least this reason, Applicants respectfully suggest that the rejection of original Claim 28 was erroneous, and further submit that this argument is inapplicable to new Claim 36.

In the Office Action dated June 25, 1998, the Examiner also rejected claims 18-24 under 35 U.S.C. § 103(a) as unpatentable over Anderson et al. OA at ¶ 4. New Claims 29-35 of the present application bear some similarities to rejected claims 18-24 of the '804 application, though the new claims have been substantially rewritten. Applicants submit that the revisions made to new claims 29-35 make the Examiner's arguments for rejection of old claims 18-24 inapplicable and submit that new claims 29-35 are allowable.

Furthermore, Applicants strongly disagree that Anderson et al. suggests the secure container concept. The Examiner's argument presented in ¶ 4 of the June 25, 1998, Office Action is formed by inappropriately combining concepts from two different portions of the Anderson et al. reference, and then piling inference upon inference. This analysis is incorrect for at least the following reasons:

First, the Examiner argues that Anderson et al. "place[s] documents into containers" and cites as support FIG. 8, item 802. OA at ¶ 4. FIG. 8, item 802 does not contain "documents," however, but rather "document data 802, including anchors and links." See, e.g., Anderson et al., Col.10, lines 51-53.

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Second, the Examiner argues that Anderson et al. suggests that “documents as a whole may have restrictive rights” (OA at ¶ 4), and cites as support the concept of link properties that “restrict how links are used.” Anderson et al., Col. 16, lines 10 et seq. The link restrictions described in Anderson et al., however, are limited to restrictions on the use of the links. There is no suggestion in Anderson et al. of any document-level protection, e.g., a user accessing the document through some pathway other than the link would not be affected by the link restriction.

Third, the Examiner seems to conclude that Anderson et al. teaches “security tools [that] are rightfully attached to a structure encapsulating the document.” OA at ¶ 4. Applicants respectfully submit that Anderson et al. does not describe or suggest any “structure encapsulating the document, e.g., its container.”

The Examiner’s reasoning in concluding that Anderson et al. renders obvious the concept of providing security at the container level improperly piles inference upon inference, using each “suggestion” to support some additional suggestion. The end result is an argument that is not based at all on the original reference, but upon an argument that the original document suggests certain things, that those suggestions support other suggestions, which in turn support a suggestion of secure containers. In fact, Applicants submit that “secure containers” is a concept which is neither described nor suggested at any point in Anderson et al.

The secure container concept of the present invention is described at pages 2-7 of the present application, among other locations. Applicants respectfully suggest that an examination of that text will show that this concept is inventive in light of Anderson et al. and that claims 29-96 should be allowed.

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To expedite prosecution, Applicants would like to further point out that new claims 40-43 are similar to claims 29-32 (prior to amendment) from immediate parent application Ser. No. 09/309,778 (the '778 application). In an October 26, 1999, Office Action ("OA2"), the Examiner rejected claims 29-93 under 35 U.S.C. § 103(a) as unpatentable over Erickson (U.S. Patent No. 5,765,152). OA2 at ¶ 4. That rejection, however, failed to take into account aspects of the claims that are neither recited nor in any manner implied by Erickson.

For example, new Claim 40, which is based on the original claim 29 in the '778 application, includes among other things the following elements: "a first environment characterized by a first security aspect," a descriptive data structure including "information relating to the first security aspect," transmission of the descriptive data structure to a second environment, and determining whether to use a first rule or a second rule based on the security aspect information.

Erickson does not recite environments having security aspects, nor storing security aspect information in a descriptive data structure, nor using that information at a second environment to determine whether to use a first rule or a second rule. Furthermore, Erickson contains no text from which these elements can be inferred, nor does it in any manner suggest these elements.

Furthermore, new Claims 44-96 are similar to Claims 33-70 and 79-93 (prior to amendment) in the '778 application, with minor changes and with the addition of further specification of the function of a rule or control. Applicants disagree with the rejection of claims 33-70 and 79-93 based on Erickson, but instead respectfully submit that, with the

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amendments to Claims 33-70 and 79-93, the rejection is inapplicable to new Claims 44-96 and new Claims 44-96 should be allowed.

If there is any fee due in connection with the filing of this Preliminary Amendment, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

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